

**REMARKS****Status of Claims**

Claims 1-92 were pending in the application with claims 1-68 withdrawn. Claims 1, 2, 69, and 70 have been amended and no claims have been canceled or newly added. Therefore, claims 1-92 are pending in the application with claims 69-92 presented for reconsideration.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

**Preliminary Matters**

Applicants request acknowledgement of receipt of the priority document that was filed on October 28, 2003.

**Prior Art Rejections**

In the Office Action, claims 69-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,944,481 to Hama (hereafter "Hama") in view of U.S. patent application publication 2002/0198006 to Hirayama (hereafter "Hirayama"). Applicants respectfully traverse this rejection for at least the following reasons.

Each of the independent claims 69 and 70 under consideration recite, *inter alia*, that a portable terminal equipment with an upper unit and a lower unit includes a controller that controls a hinge driving mechanism to rotate one or both of units from a first relative position to a relative position at a prescribed angle to each other when receiving a call or message and thereby informing the user of the receipt of the call. Furthermore, claim 70 recites that the units are rotated so that they are at a prescribed angle to each other based on information about the sender of the call or message and/or the received message to thereby inform the user of the receipt of the call or message. Therefore, these independent claims recite moving one or more of the units from a first position to a relative position at a prescribed angle which provides valuable information to the user. For example, it may indicate to the user that the

user has received a call or message or the specific prescribed angle may indicate further details to the user about the sender of the call or message or about the message itself. Neither these recited features nor their benefits is disclosed or suggested by the applied prior art.

Specifically, Hama relates to a folding communication terminal having two displays in which the information displayed on the two displays are coordinated. However, as acknowledged in the Office Action, Hama does not disclose anything related to the claimed controller moving one or both of the two units from a first relative position to a relative position at a prescribed angle to each other which informs the user about the sender of the call or message or about the content of the call or message.

The Office Action relies on Hirayama to cure this deficiency in Hama. However, Hirayama relates to an opposite relationship to that claimed in the pending independent claims and, therefore, does not cure the deficiencies of Hama. Specifically, Hirayama discloses that the user changes the relative positions of the main components which is detected and the detected relative position is used to activate specific application programs corresponding to the detected relative position. In sharp contrast, the pending independent claims require that the controller sets or changes the relative position between the two units based on the sender or content of a call or message and this relative position provides valuable information to the user regarding the sender or content of the call or message.

Therefore, neither of the applied references nor their reasonable combination discloses or suggests the features recited in the pending independent claims 69 and 70. Accordingly, applicants submit that the Office Action fails to make a *prima facie* case of obviousness with respect to the pending independent claims.

#### Dependent Claims

The dependent claims are also allowable for at least the same reasons as the respective independent claims on which they depend. In addition, they recite additional patentable features when considered as a whole.

For example, dependent claims 77, 79, and 81-83 recite that the user specifies settings through a setting interface which is used by the controller to drive the hinge driving mechanism so that the prescribed angle between the upper and lower units can be specified or customized by the user. Likewise, claims 84-92 recite that the upper and lower units

repeatedly open/close at prescribed intervals (to the prescribed angle) and thereby provide valuable information to the user. Neither these features nor their advantages are disclosed or suggested by the applied prior art. Accordingly, these recited features provide additional reasons for the patentability of these claims.

**Conclusion**

In view of the above, applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. Applicants also request rejoinder of the other non-elected species as required if a generic claim is allowed or limitations in an allowed generic claim are included in other non-elected species.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 27, 2006

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

By Aaron C. Chatterjee  
David A. Blumenthal  
Registration No. 26,257  
Aaron C. Chatterjee  
Registration No. 41,398  
Attorneys for Applicants